

SENATE BILL No. 211

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-28.

Synopsis: Study committees. Establishes 18 specified legislative study committees effective January 1, 2007. Requires all legislative studies authorized after December 31, 2006, to be assigned to one of the legislative study committees. Provides that a legislative study committee consists of 12 members, six appointed from each house of the general assembly and equally divided between the political parties. Provides that the president pro tempore of the senate and the speaker of the house of representatives may each appoint two additional members to a study committee. Requires that 12 members of a legislative study committee must be appointed from the standing committees that have subject matter jurisdiction over the topic of the study. Provides general procedures for the operation of a legislative study committee. Provides that a topic assigned to a legislative entity before January 1, 2007, may be reassigned to a new study committee when the original entity expires, is repealed, or has its expiration date extended.

Effective: January 1, 2007.

Miller

January 9, 2006, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 211

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 2-5-28 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2007]:

4 **Chapter 28. Legislative Study Committees**

5 **Sec. 1. As used in this chapter, "legislative entity" includes any**
6 **committee or commission that receives funding under a resolution**
7 **of the legislative council. The term does not include a standing**
8 **committee of the senate or the house of representatives.**

9 **Sec. 2. As used in this chapter, "legislative study" refers to the**
10 **study of an issue by a legislative entity that is authorized, required,**
11 **or urged by any of the following:**

12 (1) A statute.

13 (2) A concurrent resolution or simple resolution of the general
14 assembly.

15 (3) A resolution of the legislative council.

16 **Sec. 3. As used in this chapter, "study committee" refers to a**
17 **legislative study committee established by section 4 of this chapter.**



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1 **Sec. 4. The following legislative study committees are**
 2 **established:**

3 **(1) The legislative study committee on agricultural and rural**
 4 **issues.**

5 **(2) The legislative study committee on children, families, and**
 6 **human affairs.**

7 **(3) The legislative study committee on commerce and**
 8 **economic development.**

9 **(4) The legislative study committee on courts and the criminal**
 10 **code.**

11 **(5) The legislative study committee on education.**

12 **(6) The legislative study committee on elections.**

13 **(7) The legislative study committee on financial institutions.**

14 **(8) The legislative study committee on government**
 15 **organization and planning.**

16 **(9) The legislative study committee on health.**

17 **(10) The legislative study committee on insurance.**

18 **(11) The legislative study committee on the judiciary and civil**
 19 **law.**

20 **(12) The legislative study committee on labor and pensions.**

21 **(13) The legislative study committee on natural resources.**

22 **(14) The legislative study committee on public policy.**

23 **(15) The legislative study committee on the environment.**

24 **(16) The legislative study committee on homeland security**
 25 **and transportation.**

26 **(17) The legislative study committee on state and local**
 27 **government affairs.**

28 **(18) The legislative study committee on tax and finance.**

29 **Sec. 5. (a) Except as provided in subsection (b), a study**
 30 **committee consists of the following members:**

31 **(1) Six (6) members of the senate appointed by the president**
 32 **pro tempore of the senate with the advice of the minority**
 33 **leader of the senate. Not more than three (3) members**
 34 **appointed under this subdivision may be members of the same**
 35 **political party. The members appointed under this subdivision**
 36 **must be members of a standing committee of the senate that**
 37 **has jurisdiction over the subject matter of the legislative**
 38 **study, as determined by the president pro tempore of the**
 39 **senate.**

40 **(2) Six (6) members of the house of representatives appointed**
 41 **by the speaker of the house of representatives with the advice**
 42 **of the minority leader of the house of representatives. Not**

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more than three (3) members appointed under this subdivision may be members of the same political party. The members appointed under this subdivision must be members of a standing committee of the house of representatives that has jurisdiction over the subject matter of the legislative study, as determined by the speaker of the house of representatives.

(b) With the consent of the chairman and the vice chairman of the legislative council, a study committee may have four (4) members in addition to the members appointed under subsection (a). The president pro tempore of the senate and the speaker of the house of representatives, with the advice of their respective minority leaders, may each appoint two (2) additional members to the study committee under this subsection. The two (2) members appointed by the president pro tempore of the senate and the two (2) members appointed by the speaker of the house of representatives under this subsection:

- (1) may not be members of the same political party; and
- (2) are not required to be members of the same standing committee of their respective houses as the members appointed under subsection (a).

(c) A member of a study committee serves until the member:

- (1) resigns from the study committee;
- (2) fails to satisfy a requirement for membership on the study committee, including membership:
 - (A) in the chamber of the general assembly from which the member was appointed; or
 - (B) on the standing committee from which the member was appointed; or
- (3) is replaced by the member's appointing authority under subsection (d).

(d) An appointing authority may replace a member appointed by that appointing authority at any time. An individual who exercises the power of an appointing authority may replace a member of a study committee appointed by a predecessor of the individual as the appointing authority.

(e) A vacancy on a legislative study committee shall be filled by the appointing authority who appointed the member whose position is vacant.

Sec. 6. (a) After January 1 of each year, the chairman of the legislative council may designate:

- (1) a chair of each of the study committees established in

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section 4(1) through 4(9) of this chapter from among each study committee's members; and

(2) a vice chair of each of the study committees established in section 4(10) through 4(18) of this chapter from among each study committee's members.

(b) The chairman of the legislative council may replace the chair or vice chair of a study committee who was appointed by the chairman of the legislative council.

(c) The chair or vice chair of a study committee appointed under this section serves as chair or vice chair until the chair or vice chair is:

(1) no longer a member of the study committee; or

(2) replaced under subsection (b).

Sec. 7. (a) After January 1 of each year, the vice chairman of the legislative council may designate:

(1) a chair of each of the study committees established in section 4(10) through 4(18) of this chapter from among each study committee's members; and

(2) a vice chair of each of the study committees established in section 4(1) through 4(9) of this chapter from among each study committee's members.

(b) The vice chairman of the legislative council may replace the chair or vice chair of a study committee who was appointed by the vice chairman of the legislative council.

(c) The chair or vice chair of a study committee appointed under this section serves as chair or vice chair until the chair or vice chair is:

(1) no longer a member of the study committee; or

(2) replaced under subsection (b).

Sec. 8. The chair of a study committee may delegate any of the chair's powers to the vice chair of the study committee.

Sec. 9. (a) This section applies to a legislative study that is authorized, required, or urged after December 31, 2006.

(b) Notwithstanding any law, the legislative council shall determine which study committee shall conduct a legislative study.

Sec. 10. (a) This section applies to a legislative entity established by statute before January 1, 2007, to conduct a legislative study.

(b) If the:

(1) statute establishing the legislative entity has expired or is repealed; or

(2) expiration date of the legislative entity is extended by another statute;

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1 then, notwithstanding any other law, the legislative council may
2 reassign an issue under consideration by the legislative entity to a
3 study committee.

4 Sec. 11. Subject to the legislative council's policies governing
5 study committees, a study committee may meet at the call of the
6 chair of the study committee.

7 Sec. 12. Each member of a study committee is a voting member.

8 Sec. 13. A majority of the appointed members of a study
9 committee is required for a quorum other than meeting to hear
10 testimony.

11 Sec. 14. The affirmative vote of a majority of the appointed
12 members of a study committee is required for the study committee
13 to take official action.

14 Sec. 15. The legislative services agency shall provide staff and
15 administrative support for a study committee as directed by the
16 legislative council.

17 Sec. 16. A study committee shall issue reports as required by the
18 legislative council.

19 Sec. 17. The legislative council may establish a budget for a
20 study committee.

21 Sec. 18. Subject to the budget for the study committee, each
22 member of a study committee is entitled to receive:

- 23 (1) a per diem instead of subsistence; and
24 (2) reimbursement for actual mileage and travel expenses;
25 established by the legislative council.

26 Sec. 19. The expenditures of a study committee shall be paid
27 from appropriations to the legislative council or to the legislative
28 services agency.

29 Sec. 20. The legislative council may adopt policies to govern
30 study committees that are not inconsistent with this chapter.

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